Day, 4 Wash. 104, 29 Pac. 984; *Reed* v. *State*, 16 Ark. 499; *Perryman* v. *State*, 36 Tex. 321. In *Wade* v. *State*, 23 Tex. App. 308, the question was held to be one of proof, not pleading, and the fact that the alleged name of deceased was an unprecedented one, to be immaterial.

OSTEOPATHY—PRACTICING MEDICINE WITHOUT LICENSE—The Supreme Court of Alabama has decided, in *Bragg* v. *State*, 32 South. 767, that a practitioner regularly educated and graduated from a college, which has the name of the "American School of Osteopaths," and holding a diploma from that institution, and who treats his patients by manipulation of the limbs and body with his hands, by kneading, rubbing, or pressing upon the parts of the body, in which treatment no drug, medicine, or other substance is administered either internally or externally, nor is the knife used, nor any form of surgery, is "practicing medicine," within the provision of a statute requiring a person so practicing to obtain a certificate from a board of medical examiners; the statute clearly indicating that it was not the legislative intent to restrict the examination to those intending to practice medicine by prescribing drugs, but to include all who practice the art of healing, whatever the reputed therapeutic agency employed.

The Supreme Court of North Carolina, on the other hand, in *State* v. *MacKnight*, 42 S. E. 580, has decided that the practice of osteopathy is not the practice of medicine or surgery as commonly understood, and therefore it is not necessary to have a license from the board of medical examiners before practicing it. In its opinion the court states "that if it is a fraud and imposition, and injury results, the osteopath is liable both civilly and criminally. Certainly baths and diet could be advantageously prescribed to many people. Rubbing is well enough if the patient is not rubbed the wrong way. The real complaint is that osteopaths restrict themselves to these remedies and do not resort to drugs and surgery; but that very fact establishes that they do not violate the law requiring a license to practice medicine and surgery. Doubtless there is an appeal to the imagination, but who does not know that a prescription by a physician in whom the patient has implicit confidence is oftentimes more effective than the same treatment by one in whom he has none, and that at times bread pills and other harmless prescriptions are administered with good results?"

MUNICIPAL CORPORATIONS — POLICEMEN — REMOVAL—RIGHT TO NOTICE.—An appointment which can be terminated for cause is not an appointment at will, but is for a definite term, and entitles the incumbent to notice of any charges preferred against him and to an opportunity to be heard. A statute authorized the board of street commissioners of a town to appoint policemen to serve under the regulations of the street commissioners, and further provided that "said policemen shall be subject to removal for cause." The relator was discharged by the board without notice. *Held*, that an order requiring the board to reinstate him must be affirmed, without prejudice, however, to the right of the commissioners to proceed in a proper way to exercise their power of removal. *Board etc.* v. *Williams* (Md.), 53 Atl. 923. Citing *Andrews* v. *Board* (Me.), 46 Atl. 801; *Gaskins' Case*, 8 Term R. 209; *Field* v. *Com.*, 32 Pa. 478; *State* v. *Bryce*, 7 Ohio, 82, pt. 2; Dillon's Mun.